

Floyd Petersen, Mayor Stan Brauer, Mayor pro tempore Robert Christman, Councilmember Robert Ziprick, Councilmember Charles Umeda, Councilmember

COUNCIL AGENDA:

September 6, 2005

TO:

City Council

VIA:

Dennis R. Halloway, City Manager

FROM:

Deborah Woldruff, AICP, Community Development Director

SUBJECT:

PRECISE PLAN OF DESIGN (PPD) NO. 05-05/VARIANCE (VAR) NO. 05-04 (CALIFORNIA HEART & SURGICAL HOSPITAL) - A proposal to construct a 70,000 square-foot surgical hospital and 25,000 square-foot medical building on a 6.33-acre site located at the northeast corner of Barton Road and New Jersey Street. The variance request is for a 46-foot tower structure on the hospital building that exceeds the 35-foot maximum height allowance of the Administration Professional

(AP) zone.

RECOMMENDATION

The recommendation is that the City Council takes the following actions:

- 1. Adopt the Revised Mitigated Negative Declaration;
- 2. Approve the Certificate of Appropriateness based on the Findings; and,
- 3. Approve PPD No. 05-05 and VAR No. 05-04 based on the Findings, and subject to the attached Conditions of Approval (Revised September 6, 2005).

BACKGROUND

On August 23, 2005, the City Council reviewed the project proposal with presentations from staff and the applicant. After several hours of public testimony, Mayor Petersen formally closed the public hearing and the City Council continued the item to a special meeting on Tuesday, September 6, 2005 at 6:00 p.m. It should be noted that just prior to the August 23rd meeting, the City Council had received two large documents from the Loma Linda University Medical Center in addition to copies of several hundred comment letters and emails in favor and in opposition to the project. One of the reasons for the continuance was to allow the Council and staff to review the new submittals and consider all of the public testimony. For the meeting on September 6th, the Council stated that the public hearing would not be reopened and that the applicant to the California Heart & Surgical Hospital (CHSH) Project and a representative of the opposition each would be allowed fifteen minutes each to recap their issues. The Council also declared that

written comments on the project would only be accepted by the City until 5:00 p.m. on Thursday, September 1, 2005.

The additional correspondence that has been submitted since the August 23, 2005 City Council Meeting has been indexed and added to Attachment 7 of Attachment A (August 23, 2005 City Council Staff Report). Other documents that were submitted directly to the City Clerk have been made a part of the Clerk's public record.

ANALYSIS

The Conditions of Approval for the project have been revised to add the Loma Linda Connected Community Program (LLCCP) requirements and renumbered to correct a numbering error (see Attachment B).

A detailed analysis of the project proposal and variance is contained in Attachment A, August 23, 2005 City Council Staff Report.

ENVIRONMENTAL

A description of the project environmental determination for a Mitigated Negative Declaration is contained in Attachment A, August 23, 2005 City Council Staff Report. A copy of the Mitigated Negative Declaration (NOI/Initial Study, Revised July 14, 2005) is available in Attachment 3 of Attachment A.

FINANCIAL IMPACT

A description of the financial impacts of the project is contained in Attachment A.

ATTACHMENTS

- A. August 23, 2005 City Council Staff Report (*Previously distributed/Attachments not included*) Attachments:
 - 1. Planning Commission Staff Report (July 6, 2005) (Attachments not included)
 - 2. Planning Commission Staff Report (August 3, 2005) (Attachments not included)
 - 3. Revised Mitigated Negative Declaration (NOI/Initial Study)
 - 4. Conditions of Approval (See Attachment B, below)
 - 5. Site Location Map and Project Plans
 - 6. Applicant's Statement of Operations
 - 7. Public Comments (*Updated through September 1, 2005*)
- B. Conditions of Approval (Revised September 6, 2005)

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Attachment A

August 23, 2005 City Council Staff Report (Previously Distributed)

Attachment B

Conditions of Approval (Revised September 6, 2005)

CONDITIONS OF APPROVAL PRECISE PLAN OF DESIGN (PPD) NO. 05-05 (Revised September 6, 2005)

COMMUNITY DEVELOPMENT DEPARTMENT

General

- 1. Within one year of this approval, the Precise Plan of Design shall be exercised by substantial construction or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of one year, the permit/approval shall become null and void.
 - a. PROJECT:

EXPIRATION DATE:

- b. PRECISE PLAN OF DESIGN (PPD) NO. 05-05 SEPTEMBER 6, 2006 (or one year from City Council approval date)
- c. The project is subject to OSHPD and approval of PPD No. 05-05 by the City is contingent upon the approval of OSHPD and compliance with all applicable state laws. Following approval of OSHPD, the project shall be forwarded to staff for review to determine if any changes or modifications required by OSHPD will require the review and approval of the Planning Commission.
- 2. The review authority may, upon application being filed 30 days prior to the expiration date and for good cause, grant a one-time extension not to exceed 12 months. The review authority shall ensure that the project complies with all current Development Code provisions.
- 3. In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, Redevelopment Agency (RDA), their affiliates officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City and RDA of any costs and attorneys fees, which the City or RDA may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
- 4. Construction shall be in substantial conformance with the plan(s) approved by the Planning Commission. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification that exceeds 10% of the following allowable measurable design/site considerations shall require the refilling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:
 - a. On-site circulation and parking, loading and landscaping;
 - b. Placement and/or height of walls, fences and structures;

- c. Reconfiguration of architectural features, including colors, and/or modification of finished materials that do not alter or compromise the previously approved theme; and.
- d. A reduction in density or intensity of a development project.
- 5. No vacant, relocated, altered, repaired or hereafter erected structure shall be occupied or no change of use of land or structure(s) shall be inaugurated, or no new business commenced as authorized by this permit until a Certificate of Occupancy has been issued by the Building Division. A Temporary Certificate of Occupancy may be issued by the Building Division subject to the conditions imposed on the use, provided that a deposit is filed with the Community Development Department prior to the issuance of the Certificate, if necessary. The deposit or security shall guarantee the faithful performance and completion of all terms, conditions and performance standards imposed on the intended use by this permit.
- 6. This permit or approval is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17 in effect at the time of approval, and includes development standards and requirements relating to: dust and dirt control during construction and grading activities; emission control of fumes, vapors, gases and other forms of air pollution; glare control; exterior lighting design and control; noise control; odor control; screening; signs, off-street parking and off-street loading; and, vibration control. Screening and sign regulations compliance are important considerations to the developer because they will delay the issuance of a Certificate of Occupancy until compliance is met. Any exterior structural equipment, or utility transformers, boxes, ducts or meter cabinets shall be architecturally screened by wall or structural element, blending with the building design and include landscaping when on the ground.
- 7. Signs are not approved as a part of this permit. Prior to establishing any new signs, the applicant shall submit an application, and receive approval, for a sign permit from the Planning Division (pursuant to LLMC, Chapter 17.18) and building permit for construction of the signs from the Building Division, as applicable.
- 8. Traditional clay tiles (with mortar) shall be used for the roofing material to further enhance the Mission style architecture.
- 9. A Final Phasing Plan shall be submitted to the Community Development Department for review and approval prior to issuance of any Building or Construction Permits.
- 10. The applicant shall comply with all of the Public Works Department requirements for recycling prior to receiving a Certificate of Occupancy.
- 11. During construction of the site, the project shall comply with Section 9.20 (Prohibited Noises) of the Loma Linda Municipal Code and due to the sensitive receptors on-site and in the surrounding neighborhoods, construction activities shall be further restricted to cease between the hours of 6:00 p.m. to 7:00 a.m.

- 12. Maintenance, deliveries, and refuse pickup shall be limited to general business hours (from 7:00 a.m. to 6:00 p.m.) on Mondays through Fridays.
- 13. The applicant shall implement SCAQMD Rule 403 and standard construction practices during all operations capable of generating fugitive dust, which will include but not be limited to the use of best available control measures and reasonably available control measures such as:
 - a. Water active grading areas and staging areas at least twice daily as needed;
 - b. Ensure spray bars on all processing equipment are in good operating condition;
 - c. Apply water or soil stabilizers to form crust on inactive construction areas and unpaved work areas;
 - d. Suspend grading activities when wind gusts exceed 25 mph;
 - e. Sweep public paved roads if visible soil material is carried off-site;
 - f. Enforce on-site speed limits on unpaved surface to 15 mph; and
 - q. Discontinue construction activities during Stage 1 smog episodes.
- 14. The applicant shall implement the following construction practices during all construction activities to reduce NOx emission as stipulated in the project Initial Study and identified as mitigation measures:
 - a. During on-site construction, the contractor shall use a lean- NO_x catalyst to reduce emissions from off-road equipment diesel exhaust.
 - b. The contractor shall use coating and solvents with a volatile organic compound (VOC) content lower than required under Rule 1113.
 - c. The developer/contractor shall use building materials that do not require painting.
 - d. The developer/contractor shall use pre-painted construction materials where feasible.
- 15. The applicant shall ensure that exterior and interior paints and coatings are not sprayed onto wall or other surfaces, but rather applied with a brush or roller to reduce ROG emissions. As an alternative, the applicant may use exterior construction materials that have been pretreated or coated by the manufacturer.
- 16. The applicant shall provide a minimum of 261 standard parking spaces and shall include 10 accessible standard spaces and two accessible van spaces (as required for 261 standard spaces provided). The accessible parking required for the project shall be placed and constructed as per the State of California Accessibility Standards, Title 24 California Administrative Code. Future expansion of the site shall require a parking study to ensure that adequate parking is provided to meet the new demand.
- 17. Prior to issuance of Certificate of Occupancy, the applicant shall submit a photometric plan and final lighting plan to City staff showing the exact locations of light poles and the proposed orientation and shielding of the fixtures to prevent glare onto existing homes to the east and potential residential development to the north. (Mitigation Measure)

- 18. All construction shall meet the requirements of the 2001 California Building Code (CBC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of any Building Permit(s).
- 19. All Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of any Building and/or Construction Permits. (Mitigation Measure)
- 20. Prior to issuance of any Building and/or Construction Permits, the applicant shall submit to the Community Development Department proof of payment or waiver from both the City of San Bernardino for sewer capacity fees and Redlands Unified School District for school impact fees. (Mitigation Measure)
- 21. The developer shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise plan of design, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits.

Landscaping

- 22. The applicant shall submit three sets of the final landscape plan prepared by a state licensed Landscape Architect, subject to approval by the Community Development Department, and by the Public Works Department for landscaping in the public right-of-way. Landscape plans for the Landscape Maintenance District shall be on separate plans.
- 23. Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan and these conditions of approval. The applicant shall provide additional decorative, accent trees along the New Jersey Street frontage that are closer to the sidewalk than those already shown on the plan. Any and all fencing shall be illustrated on the final landscape plan.
- 24. Landscape plans shall depict the utility laterals, concrete improvements, and tree locations. Any modifications to the landscape plans shall be reviewed and approved by the Public Works and Community Development Departments prior to issuance of permits.
- 25. The applicant, property owner, and/or business operator shall maintain the property and landscaping in a clean and orderly manner and all dead and dying plants shall be replaced with similar or equivalent type and size of vegetation.

Historical Preservation

- 26. The proposed Zanja Trail should be at least 15 20 feet wide and should not disturb areas at depths more than one foot below the current ground surface. As an alternative, the trail may be raised by one or more feet of fill in order to avoid damaging or destroying any subsurface remnants of the Zanja. Since the centerline of the zanja generally runs along the northern property line, the portion of the Zanja corridor that would be constructed on the project site shall be 10 feet wide. (Mitigation Measure)
- 27. The City of Loma Linda shall coordinate with the City of Redlands to determine the feasibility of extending the Zanja Trail across private land to the east and linking it with the Asistencia and the future Redlands Heritage Park, or extending the trail south along the eastern project site boundary, to allow pedestrian movement eastward along Barton Road. (Mitigation Measure)
- 28. The courtyard and hospital lobby shall incorporate historical information for cultural groups and historical periods represented in the project area into the design of displays and other interpretive material. (Mitigation Measure)
- 29. A qualified archaeologist shall be present during site grading to monitor for the potential occurrence of any unrecorded archaeological materials of Native American and Euro-American origin. (Mitigation Measure)
- 30. At a minimum of 30 days prior to any grading, the City shall notify the tribal councils of the San Manual and Morongo Bands of proposed grading activities, and arrange for Native American participation if requested by the tribal councils. (Mitigation Measure)
- 31. A Precise Plan of Design shall be required for any future expansion of the site and consideration shall be given to the potential for vertical expansion and compliance with the Historical Mission Overlay District in terms of open space.
- 32. The Zanja Trail shall be extended south to Barton Road from its terminus at the northeast corner of the site to ensure that a pedestrian linkage to the public sidewalk is available in the event that the trail cannot be continued east into Redlands. A pedestrian link from the Historical Mission Overlay District to the Redlands Heritage Park, Barton House, and Asistencia are necessary to the preservation efforts in the area.
- 33. Landscaping along the Zanja Trail shall predominantly feature Native California Plants that are indigenous to the Inland Empire. Other areas of the site shall feature palms and citrus trees.
- 34. The applicant shall provide interpretive signage about the history of the Zanja and the area. The design of the interpretive signage shall match other such signage used on the Zanja Trail in new developments located west of the CHSH site.

- 35. Prior to grading, a field survey to determine the potential for significant nonrenewable paleontological resources shall be conducted on-site by a qualified vertebrate paleontologist. This professional will be able to find, determine the significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act and/or the federal National Environmental Policy Act. (Mitigation Measure)
- 36. In the event that human remains are encountered during grading, all provisions of state law requiring notification of the County Coroner, contacting the Native American Heritage Commission, and consultation with the most likely descendant, shall be followed. (Mitigation Measure)

FIRE DEPARTMENT

- 37. All construction shall meet the requirements of the editions of the Uniform Building Code (UBC)/California Building Code (CBC) and the Uniform Fire Code (UFC)/California Fire Code (CFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
- 38. Pursuant to UBC Section 904.2.2, as amended in Loma Linda Municipal Code (LLMC) Section 15.08.220, the buildings shall be equipped with automatic fire sprinkler systems meeting the requirements of National Fire Protection Association (NFPA) 13.
- 39. A utility improvement plan showing the proposed locations for fire hydrants shall be submitted to Fire Prevention for review and approval as part of the plan review process (may be done in conjunction with Public Works Engineering plan review).

PUBLIC WORKS DEPARTMENT

- 40. Submit an engineered grading plan with hydrology study and preliminary soils report.
- 41. Construct/install/repair all off-site improvements, including paving, curb and gutter, medians, sidewalk, street lights, street trees, driveway approaches, trails, landscaping and utilities. All work shall meet the City of Loma Linda standards.
- 42. All utilities shall be underground. The City of Loma Linda shall be the water and sewer purveyor.
- 43. Focused traffic study with fair share cost analysis.
- 44. All public improvement plans shall be submitted to the Public Works Department for review and approval.
- 45. The City of Loma Linda Recycling policy applies.

- 46. All NPDES regulations apply.
- 47. Any damage to existing improvements as a result of this project shall be repaired by the applicant to the satisfaction of the City Engineer.
- 48. Construct Barton Road from New Jersey Street to the east project boundary at its ultimate half-section width as a Major Arterial (100 foot right-of-way) including landscaping and sidewalks in conjunction with development. (Mitigation Measure)
- 49. Sight distance at the project accesses shall be reviewed with respect to Caltrans/City of Loma Linda standards in conjunction with the preparation of final grading, landscape and street improvement plans. (Mitigation Measure)
- 50. On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project. (Mitigation Measure)
- 51. Construct New Jersey Street from the north project boundary to Barton Road at its ultimate half-section width as a Collector (64 foot right-of-way) including landscaping and sidewalks in conjunction with development. (Mitigation Measure)
- 52. On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project. (Mitigation Measure)
- 53. Participate in the phase construction of the off-site traffic signals through payment of traffic signal mitigation fees. The traffic signals within the area at build-out should specifically include an interconnection of the traffic signals to function in a coordinated system. (Mitigation Measure)
- Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit. (Mitigation Measure)
- 55. The developer shall submit a Utility Improvement Plan showing the location of fire hydrants for review and approval by the Public Safety Department. (Mitigation Measure)
- 56. The project proponent shall incorporate interior and exterior storage areas for recyclables. (Mitigation Measure)
- 57. The project proponent shall comply with City adopted policies regarding the reduction of construction and demolition (C&D) materials. (Mitigation Measure)

58. The median break shown on Barton Road that would allow for left hand turns into and/or out of the site is not permitted. The Site Plan and Preliminary Grading Plan shall be revised as such prior to issuance of Grading or Building Permits.

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